

Notice of Allowability

Application No.

10/603,964

Examiner

George R. Koch III

Applicant(s)

FREZZA ET AL.

Art Unit

1734

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/22/2005.
2. ☒ The allowed claim(s) is/are 13-32.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Allowable Subject Matter

1. Claims 13-32 are allowed.
2. The following is an examiner's statement of reasons for allowance: Each and every individual element is known. Falck discloses a method for dispensing fluid for forming a bond between plies of a vehicle interior panel comprising: providing a reservoir containing an amount of fluid (see Figure 6); providing a spray mechanism (item 21) for dispensing the fluid from the reservoir; positioning the fluid within the reservoir source at an initial height above the spray mechanism (item 40); operating a controller (item 22) to determine the initial height of the fluid; operating the spray mechanism to dispense an amount of the fluid; operating the controller to determine a second height of the fluid (column 5, lines 41-58); and calculating the amount of fluid used during the dispensing operation (see column 5, line 59 to column 6, line 67, and see item 18) (and see columns 3-7 as well). The metal strip can be the element that is used as the first vehicular headliner ply.

However, Falck does not disclose that the amount of dispensed fluid is regulated by hydrostatic pressure corresponding to the height of the fluid.

3. As to claims 19-22, each and every individual element is known. The applicants admitted prior art (pages 1 and 2) discloses the concept bonding providing or joining vehicle panels from first and second vehicle panels. Falck discloses all of the fluid

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control mechanisms and method (see above). However, the prior art of record does not suggest any motivation to combine these teachings.

Falck discloses a method for dispensing fluid for forming a bond between plies of a vehicle interior panel comprising: providing a reservoir containing an amount of fluid (see Figure 6); providing a spray mechanism (item 21) for dispensing the fluid from the reservoir; positioning the fluid within the reservoir source at an initial height above the spray mechanism (item 40); operating a controller (item 22) to determine the initial height of the fluid; operating the spray mechanism to dispense an amount of the fluid; operating the controller to determine a second height of the fluid (column 5, lines 41-58); and calculating the amount of fluid used during the dispensing operation (see column 5, line 59 to column 6, line 67, and see item 18) (and see columns 3-7 as well). The metal strip can be the element that is used as the first vehicular headliner ply.

The prior art of record does not suggest that the controller operates as claimed. Specifically, Falck uses a completely different control system for correcting based on the amount of fluid used (called the usage rate - this is described in column 6, lines 43 to column 7, line 7) wherein the spray valves are corrected in order to reach the predetermined amount of fluid used.

4. As to claim 27-28, the prior art of record does not suggest determining the fluid height based on the density of the fluid, the fluid pressure at the spray mechanism, and the gravitational force constant. Falck merely uses a height sensor (item) which measures the height or top of the fluid.

5. As to claim 29-32, the applicants admitted prior art (pages 1 and 2) discloses the concept bonding providing or joining vehicle panels from first and second vehicle panels. Falck discloses all of the fluid control mechanisms and method (see above). However, the prior art of record does not suggest any motivation to combine these teachings.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Drawings

7. The drawings filed 8/22/2005 are accepted by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George R. Koch III whose telephone number is (571) 272-1230 (TDD only). If the applicant cannot make a direct TDD-to-TDD call, the applicant can communicate by calling the Federal Relay Service at 1-866-377-8642 and giving the operator the above TDD number. The examiner can normally be reached on M-Th 10-7.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Fiorilla can be reached on (571) 272-1187. The fax phone

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number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'GRK', followed by a stylized flourish.

George R. Koch III
Patent Examiner
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GRK
10/3/2005